

**ASSEMBLY, No. 428**

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**STATE OF NEW JERSEY**

**220th LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

**Sponsored by:**

**Assemblyman EDWARD H. THOMSON**

**District 30 (Monmouth and Ocean)**

**SYNOPSIS**

Allows planning and zoning board members to satisfy training requirements on Internet.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1    **AN ACT** concerning the training of planning and zoning board  
2       members and amending P.L.2005, c.133.

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4       **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

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7       1.   Section 2 of P.L.2005, c.133 (C.40:55D-23.3) is amended to  
8 read as follows:

9       2.   a.   The Commissioner of Community Affairs shall cause to  
10 be prepared and offered a basic course in land use law and planning  
11 within six months from the effective date of P.L.2005, c.133  
12 (C.40:55D-23.3 et al.) for current and prospective members and  
13 alternate members of local planning boards pursuant to section 14  
14 of P.L.1975, c.291 (C.40:55D-23) and section 13 of P.L.1979, c.216  
15 (C.40:55D-23.1), zoning boards of adjustment pursuant to section  
16 56 of P.L.1975, c.291 (C.40:55D-69) and combined boards as  
17 authorized under law. The basic course to be prepared and offered  
18 pursuant to this section shall consist of no more than five hours of  
19 scheduled instruction and shall be structured so that a member may  
20 satisfy this requirement within one calendar day. The commissioner  
21 shall make the course available through its Internet site within one  
22 year of the effective date of P.L.     , c.     (pending before the  
23 Legislature as this bill). The commissioner shall work in  
24 conjunction with the New Jersey Planning Officials in establishing  
25 standards for curriculum and administration of the course of study.

26       b.   On or after the first date on which a course in land use law  
27 and planning is offered, except as otherwise provided in section 3 of  
28 P.L.2005, c.133 (C.40:55D-23.4), a person shall not be seated as a  
29 first-term member or alternate member of a local planning board  
30 pursuant to section 14 of P.L.1975, c.291 (C.40:55D-23) or section  
31 13 of P.L.1979, c.216 (C.40:55D-23.1), a zoning board of  
32 adjustment pursuant to section 56 of P.L.1975, c.291 (C.40:55D-69)  
33 or a combined board as authorized under law, unless the person  
34 agrees to take the basic course required to be offered under  
35 subsection a. of this section, which the person shall successfully  
36 complete within 18 months of assuming board membership in order  
37 to retain board membership.

38       c.   Except as otherwise provided in section 3 of P.L.2005, c.133  
39 (C.40:55D-23.4), any person who is serving as a member or  
40 alternate member of a planning board or zoning board of adjustment  
41 or combined board as authorized under law on the first date on  
42 which a course in land use law and planning is offered shall be  
43 required to complete that course within 18 months of the date upon  
44 which the course is first offered in order to retain membership on  
45 that board.

**EXPLANATION** – Matter enclosed in bold-faced brackets **【thus】** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1       d. A hearing or proceeding held, or decision or  
2 recommendation made, by a planning board or zoning board of  
3 adjustment shall not be invalidated if a member has participated in  
4 the hearing or proceeding or in the decision making or  
5 recommendation and that member is subsequently found not to have  
6 completed the basic course in land use law and planning required  
7 pursuant to P.L.2005, c.133 (C.40:55D-23.3 et al.).  
8 (cf: P.L.2005, c.133, s.2)

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10       2. This act shall take effect immediately.

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13                               STATEMENT  
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15       This bill would require the Commissioner of Community Affairs  
16 to offer an on-line internet training course for members of planning  
17 boards and zoning boards of adjustment who are currently required  
18 to attend such training classes in person. Other mandatory training  
19 programs, such as the training requirement imposed on campaign  
20 treasurers pursuant to N.J.S.A. 19:44A-6, can be satisfied by  
21 completing an on-line training program. This bill will allow board  
22 members to become better trained without requiring them to take  
23 time out of a work day or a weekend.